



GALLET DREYER  
& BERKEY, LLP

Jared B. Foley  
Partner  
[jbf@gdblaw.com](mailto:jbf@gdblaw.com)

February 24, 2022

**VIA ECF**

Hon. Paul A. Engelmayer  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

The Court extends the time to oppose the pending motions *in limine* until March 9, 2022. Given that the trial remains scheduled for April 11, 2022, no further extensions will be granted absent extraordinary circumstances. SO ORDERED.

A handwritten signature in black ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

PAUL A. ENGELMAYER  
United States District Judge  
2/24/22

Re: Moreno-Godoy v. Gallet Dreyer & Berkey, LLP  
14 Civ. 7082 (PAE)

Dear Judge Engelmayer:

We represent defendant Gallet Dreyer & Berkey, LLP ("GDB") in this matter. We, on behalf of all of the Defendants, renew our request to adjourn the briefing deadlines for the outstanding motions *in limine* due on March 1, 2022 while the Defendants' Rule 68 Offer of Judgment for complete relief is pending. Counsel for the plaintiff, Luis Felipe Moreno-Godoy ("Plaintiff"), consents to an adjournment until March 9, subject to further adjournments as needed. Prior to yesterday, we had not previously requested an adjournment with respect to the motions *in limine*. (On November 17, 2021, however, the parties did obtain an adjournment of all trial deadlines due to the illness of a GDB partner.)

Yesterday, the Defendants served a Rule 68 Offer of Judgment upon counsel for Plaintiff, offering *complete relief* on the Plaintiff's remaining claims against the Defendants.

If, within 14 days of service of the Offer, the Offer is rejected by Plaintiff's counsel, Defendants will request a briefing schedule for a motion to dismiss on the grounds that, having been offered complete relief, Plaintiff's claims are now moot. *See Ward v. Bank of New York*, 455 F. Supp. 2d 262, 267 (S.D.N.Y. 2006) ("When a defendant offers the maximum recovery available to a plaintiff, the Second Circuit has held that the case is moot and 'there is no justification for taking the time of the court and the defendant in the pursuit of minuscule individual claims which defendant has more than satisfied.'") (citations omitted); *see also Bais Yaakov of Spring Valley v. Educ. Testing Serv.*, No. 13-CV-4577 (KMK), 2021 WL 323262, at \*3 (S.D.N.Y. Feb. 1, 2021).

We thank the Court for its attention to this matter.

Respectfully submitted,

Jared B. Foley

cc: All Counsel (via ECF)